



Remarks/Arguments

This amendment is responsive to the Office Action mailed February 10, 2005. In that Office Action the Examiner objected to the drawings as not including the reference numeral 60 found in the specification at page 6, line 12. By this amendment Applicant submits an annotated drawing sheet 1 and replacement sheet showing reference numeral 60 in figure 1.

The Examiner next objected to the claim 7 language “which do not compress more than 5 percent” as unsupported by the specification. Applicant asserts that the claims are part of the specification, and that the 5 percent compression limitation can be met by material well known in the art (discussed below) without undue experimentation.

Finally, the Examiner rejected all the claims under Section 112 as nonenabled, specifically the multi-layer means or tubular spacer material not being understood. Applicant disagrees, in that the tubular spacer material used in the context of thermoelectric-cooled automotive-related products is now well known in the art, pursuant to the Applicant’s earlier-issued Feher U.S. Patent No. 6,085,369. See in particular, column 4, lines 65-67 identifying a supplier. “A patent need not teach, and preferably omits, what is well known in the art.” M.P.E.P. 2164.01, citing In re Buchner 929 F. 2d 660, 661, 18 U.S.P.Q. 2d 1331, 1332 (Fed. Cir. 1991); Hybertech, Inc. v. Monoclonal Antibodies, Inc. 802 F.2d 1367, 1384, 231 U.S.P.Q. 2d 81, 94 (Fed. Cir. 1986), cert. denied 480 U.S. 947; Lindenamm Maschinenfabrik GMBH v. American Hoist & Derrick Co. 730 F.2d 1452, 1463, 221 U.S.P.Q. 481, 489 (Fed. Cir. 1984).

Allowance of the claims and the application is solicited. Please contact the undersigned with any questions or comments. No additional fees are believed owed; if any additional fees are owed the Patent Office is authorized to charge Applicant's Representative's deposit account no. 50-3116.

Respectfully submitted,

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FIG. 1

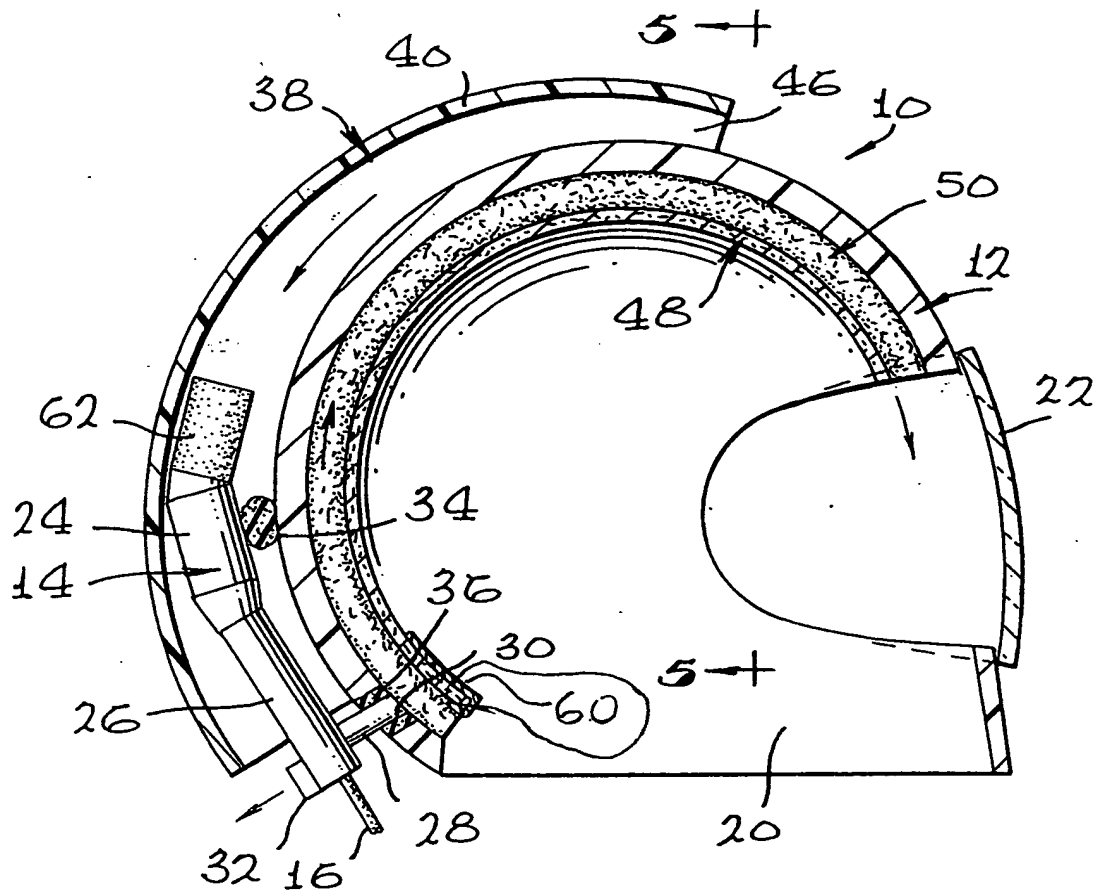


FIG. 2

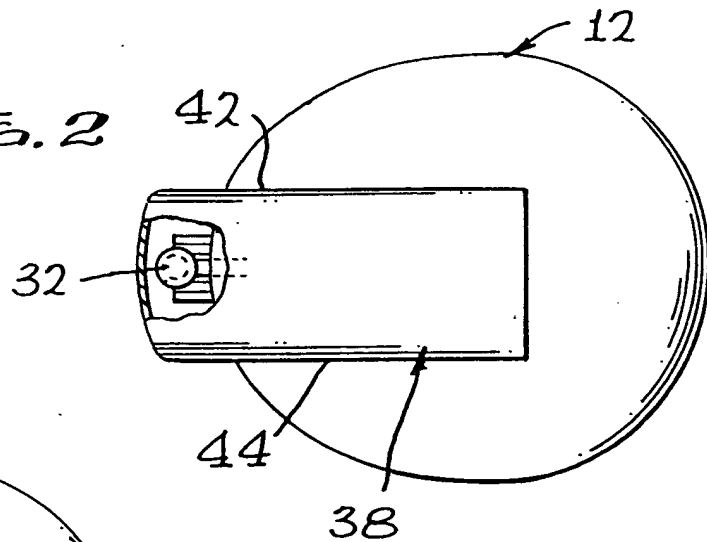


FIG. 3

